IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRIMINAL MISC.NO.80424 M OF 2006

DATE OF DECISION: AUGUST 21, 2007

Narender Singh

.....Petitioner

VERSUS

State of Haryana and another

....Respondents

1. **Whether Reporters of local papers may be allowed to see the judgement?**
2. **To be referred to the Reporters or not?**
3. **Whether the judgment should be reported in the Digest?**

PRESENT: Mr. Lokesh Sinhal, Advocate,
for the petitioner.

Mr. S. K. Hooda, Sr.DAG, Haryana,
for respondent No.1.

Mr. H. N. Mehtani, Advocate,
for respondent No.2.

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RANJIT SINGH, J.

The petitioner has filed this petition, seeking quashing of three different FIR Nos.226 dated 12.6.2006, 364 dated 12.6.2006 and 151 dated 27.6.2006 registered at different police stations by the same complainant-respondent No.2.

The grievance of the petitioner is that these three FIRs have been registered against him by the complainant at different Police Stations for the same allegation. Contention is that three different FIRs on the basis of same facts for the same cause can not be registered and investigated and accordingly, the investigation of these FIRs can not be allowed to continue. It is prayed that all the three FIRs, be quashed.

Noticing this contention raised by the petitioner, notice of motion was issued to the respondents State as well as Smt.Sharda Rani. Reply has been filed on behalf of the State. The contentions made in the petition are seriously disputed in the reply. It is pointed out that respondent No.2, Smt.Sharda Rani, is the mother of the petitioner and she had forwarded the complaint dated 12.6.2006 to Superintendent of Police, Faridabad, which was further forwarded to Deputy Superintendent of Police, Ballabgarh, for taking legal action. Accordingly FIR No.151 dated 27.6.2006, under various Sections, was registered against the petitioner at the police Station Chhainsa. It is further pointed out that after registration of the case, the matter was referred to Raghbir Singh, Sub Inspector, Incharge Police Post Tigaon, as land mentioned in the complaint pertained to Village Korali, which falls within the jurisdiction of Police Station Chhainsa. It is then stated that case FIR No.226 dated 12.6.2006 was registered under Sections 448/506 IPC against the petitioner at Police Station, Sector 7, Faridabad, as the property/land mentioned in the complaint pertained to Sector 9, Faridabad, which falls within the jurisdiction of Police Station Sector 7, Faridabad. Similarly, it is mentioned that FIR No.364 dated 12.6.2006 under Sections 380/506 IPC was registered at Police Station City Ballabgarh, Faridabad, as the property/plot mentioned in the complaint pertains to Chawla Colony, Faridabad, which falls within the jurisdiction of abovesaid police station. It is disclosed that all these FIRs are being investigated by different Police Stations.

I have heard learned counsel for the parties.

Though no reply has been filed by the private respondent,

the counsel has made a reference to the three different FIRs annexed as Annexures P-11, P-13 and P-14, to show that one complaint made by respondent No.2 contains three different acts of mis-conduct committed by the petitioner in respect of different properties located at different stations. It is under these circumstances, as per counsel for the respondents, that these FIRs have been registered at three different police stations and are being investigated accordingly.

Mr.Lokesh Singal, learned counsel appearing for the petitioner, however, by reading the FIRs would contend that all the three FIRs are verbatim the same and as such, separate cases could not have been registered at different Police Stations. A perusal of FIRs, Annexures P-11, P-13 and P-14 show that the same have been recorded on the basis of a complaint sent by respondent No.2 to Superintendent of Police. The complaint obviously reveals commission of different offences by the petitioner in respect of the properties which are located at different locations falling in different Police Stations. In first part of the complaint, allegation is made that the petitioner had demolished the boundary wall of the plot and had taken away the bricks, doors, windows and whole debris besides 4-5 big trees. In the other portion of the complaint, allegation is made that the petitioner, on return from America, had asked for one room for two months in House No.154, Sector 9, Faridabad, but has now occupied the same and is mis-behaving with the complainant. The complainant is even not being permitted to live in the house. It is further alleged that he also wants to occupy the agricultural land in Village Karoli, which is owned by other son of the complainant.

Allegation further is that he had forged an agreement with regard to 8 acres of land. The house in the village is also allegedly demolished. It is, thus, seen that one complaint contains 3 different allegations in respect of different properties. Since these properties are situated in the jurisdiction of three different Police Stations, these 3 FIRs have been registered. Counsel for the petitioner has not been able to substantiate his submission that one and the same FIR has been registered at 3 different Police Stations. Even if it is accepted for the sake of arguments that the 3 different FIRs for the same offence can not be registered, then also the petitioner can not seek quashing of all the FIRs. However, in this case the petitioner has not been able to show that same FIR is registered in 3 different Police Stations because the offences alleged and properties located under three different Police Stations are noticed to be different. Accordingly, the prayer made by the petitioner can not be accepted.

The present petition is, as such, dismissed.

August 21, 2007 **(RANJIT SINGH)**
khurmi **JUDGE**